

# ANDORRA 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution provides for freedom of individuals to manifest their religion or beliefs and prohibits religious discrimination. It names the Roman Catholic Bishop of Urgell in Catalonia, Spain as joint head of state with the President of France. In accordance with the constitution, the government offers the Catholic Church privileges not available to other religious groups. In April, parliament amended the Education Law to ban the use of conspicuous religious symbols, including head scarves, kippahs, and large crosses, in public schools. In October, the government approved a decree providing an online schooling option for students who choose not to attend in person due to the ban.

The Ministry of Education reached an accommodation with a Muslim family whereby the daughter could take classes online rather than requiring her to attend a school which required her to remove her headscarf. In response to the government's continued failure to identify public land for a multiconfessional cemetery, representatives of Muslim and Jewish communities in March reiterated their petition for a multiconfessional cemetery with representatives of the Ministry of Interior. In March, the Andorran National Commission for UNESCO, a body that falls under the Ministry of Foreign Affairs, reinstated its Interfaith Dialogue Group to bring together representatives of the country's religious communities to discuss religious freedom concerns. The National Commission served as a bridge between the government and the religious communities.

There were no reports during the year of significant societal actions affecting religious freedom.

The U.S. Ambassador, resident in Spain, and the Consul General and other officials from the U.S. Consulate General in Barcelona met and communicated regularly with senior officials from the Ministries of Foreign Affairs, Education, Justice, and

Interior, and Social Affairs, Housing and Youth, as well as with officials in the Office of the Ombudsman. During visits to the country and in periodic communications, consulate general officials discussed with Jewish and Muslim leaders and human rights nongovernmental organizations (NGOs) issues such as the lack of official status for faiths other than Catholicism and the lack of cemeteries for the Jewish and Muslim communities. The consulate general and embassy used social media to promote religious freedom, tolerance, and human rights, including through observation of a wide range of religious holidays and commemorations.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 85,600 (midyear 2022). The Andorran government estimates the population at 80,700 (August 2022), including 39,000 citizens and 47,000 other residents, mostly from Spain, France, and Portugal. The local government does not provide statistics on the size of religious groups, and there is no census data on religious group membership. While there are no official statistics, government officials estimate that the vast majority of the population is Catholic. Muslim leaders estimate their community, largely composed of recent immigrants, has approximately 2,000 members. The Jewish community reports it has approximately 100 members. Other small religious groups include Hindus, Anglicans, Seventh-day Adventists, the Baha'i Faith, the Family Federation for World Peace and Unification (Unification Church), the New Apostolic Church, The Church of Jesus Christ of Latter-day Saints, and Jehovah's Witnesses.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution guarantees "freedom of ideas, religion, and worship." It prohibits discrimination on the grounds of religion and stipulates no one shall be required to disclose his or her religion or beliefs. The constitution acknowledges a

special relationship with the Catholic Church “in accordance with Andorran tradition” and recognizes the “full legal capacity” of the bodies of the Catholic Church, granting them legal status “in accordance with their own rules.” In accordance with the constitution, the government offers the Catholic Church privileges not available to other religious groups. The Catholic Bishop of Urgell in Catalonia, Spain, whose diocese includes Andorra, is one of two constitutionally designated princes of the country and serves equally as joint head of state with the other prince, the President of France.

Instruction in the Catholic faith is optional in public schools except for the three public Catholic schools. The Catholic Church provides teachers for religion classes, and the government provides space in public schools for Catholic religious instruction and pays the teachers’ salaries.

On April 7, the parliament amended the Education Law to ban the use of conspicuous religious symbols in public schools, including head scarves, kippahs, and large crosses. April 7 amendments to the Education Law also established a new course in public schools on philosophy, ethics, values, and the history of democracy for those students that do not wish to register for Catholic religion classes.

On October 19, the government approved a decree regulating online schooling in public schools due to medical, social, or religious reasons. The decree provides for online schooling for first and secondary school students who, due to the ban on the use of conspicuous religious symbols in public schools, choose not to attend class.

The law provides for the right to equal treatment and nondiscrimination, including for members of any religious group. The law has judicial, administrative, and institutional provisions to protect and provide compensation for victims of discrimination. The law also provides for fines of up to 24,000 euros (\$26,000) in cases of discrimination, including on the basis of religious affiliation, and stipulates the burden of proof in such cases rests with the defendant, who must

demonstrate there has not been discrimination.

Faiths other than Catholicism do not have legal status as religious groups. The government registers religious communities as cultural organizations under the law of associations, which does not specifically mention religious groups. To build a place of worship or seek government financial support for community activities, a religious group must acquire legal status by registering as a nonprofit cultural organization. To register, a group must provide its statutes and foundational agreement, a statement certifying the names of persons appointed to the board or other official positions in the organization, and a patrimony declaration that identifies the inheritance or endowment of the organization. A consolidated register of associations records all types of associations, including religious groups.

The national ombudsman is responsible for investigating complaints of racism, discrimination, and intolerance, including those involving a religious motivation, in the public and private sectors. The ombudsman makes recommendations to the public administration to correct problems and reports annually to parliament.

The law requires individuals applying for official documents, such as residence permits, passports, and driver's licenses, to appear in person and be photographed with their heads uncovered.

According to the law, municipalities are responsible for the construction, preservation, and administration of cemeteries and funerary services.

Government regulations permit ritual slaughter as required by the Islamic or Jewish faith, as long as it takes place under the supervision of the veterinary services of the country's slaughterhouse.

The country is a party to the International Covenant on Civil and Political Rights.

## **Government Practices**

On April 7, the government amended the Education Law, banning the use of conspicuous religious symbols in public schools. This followed the government's modification of public-school regulations in 2021 to ban the use of conspicuous religious symbols in public schools, which came in response to a Muslim family's complaint of discrimination and racism against a French school in the country that required their daughter to remove her headscarf while in school. (Families may choose to place their children in free, public schools in the French system, the Spanish system, or the Andorran system.) The government in 2021 supported the French school, saying a law prohibiting headscarves in public schools in France was applicable under a bilateral agreement making the school a part of the French public school system. In response, the Muslim family withdrew the daughter from the school and enrolled her in a public school, which subsequently also forbade her from wearing a headscarf. The family then refused to send their daughter and son to school and filed a complaint in court, arguing that the revised school regulations violated the country's constitutional guarantees of religious freedom. Following the passage of the Education Law amendment the court dismissed the case.

The Ministry of Social Affairs subsequently obtained a court order requiring the two Muslim students to attend school in accordance with the law or the parents would lose their custody rights. The son returned to in-person learning and the Ministry of Education agreed to allow the daughter to attend school virtually through the end of the school year. According to the Ministry of Education and the Ministry of Social Affairs, government officials provided specialized and personalized assistance to the children and family as well as mediation throughout the process.

The Catholic Church continued to receive special privileges not available to other religious groups. The government paid the salaries of the eight Catholic priests serving in local churches and granted all foreign Catholic priests' citizenship for as long as they exercised their functions in the country.

In March, representatives of Muslim and Jewish communities reiterated their petition for a multiconfessional cemetery with representatives of the Ministry of Interior at a meeting convened under the auspices of the Andorran National Commission for UNESCO, which served as a bridge between the government and the religious communities. Despite longstanding requests by community representatives for cemeteries where they could bury their dead according to their rituals and traditions, the government did not identify suitable public land for a multiconfessional cemetery. According to authorities, Jews and Muslims could use existing cemeteries, but these did not allocate separate burial areas for the communities to use. As a result, most Jews and Muslims continued to bury their dead outside the country.

The government continued to fund three public Catholic schools at the primary and secondary level. These were open to students of all faiths. Catholic instruction was mandatory for all students attending these schools.

The government continued to maintain a policy of issuing religious work permits only to foreigners performing religious functions for the Catholic Church. Foreign religious workers belonging to other groups said they could enter the country with permits for other positions, such as schoolteachers or business workers, and carry out religious work without hindrance.

Catholic rituals, such as priests blessing those gathered for an event or leading a Mass before an event, continued to be a part of many state ceremonies, including annual national day celebrations.

In March, the Andorran National Commission for UNESCO reinstated an Interfaith Dialogue Group, which brought together representatives of the country's religious communities to discuss religious freedom concerns, including the lack of legal status for religious groups other than the Catholic Church and the lack of cemeteries for the Jewish and Muslim communities.

### **Section III. Status of Societal Respect for Religious Freedom**

There were no reports of significant societal actions affecting religious freedom during the year.

A leader in the Muslim community continued to say that the case of the female student forced to remove her headscarf to attend school had divided the community. Some Muslims considered society as a whole intolerant of other cultures and beliefs.

In the absence of a mosque in the country, the Muslim community continued to rely on two Islamic prayer rooms that it rented in Andorra la Vella and in Escaldes-Engordany. The Catholic Church of Santa Maria del Fener in Andorra la Vella continued to lend its sanctuary for services twice a month to the Anglican community so that visiting Anglican clergy could conduct services for its English-speaking members.

### **Section IV. U.S. Government Policy and Engagement**

The U.S. Ambassador, resident in Spain, and the Consul General and other officials from the U.S. Consulate General in Barcelona reiterated the importance of religious tolerance in periodic in-person and virtual meetings and other communications with officials in the Ministries of Foreign Affairs; Education, Social Affairs, Housing, and Youth; and Justice and Interior, as well as the Office of the Ombudsman. Consulate general staff raised continued concerns about the lack of cemeteries for the Jewish and Muslim communities with senior Ministry of Foreign Affairs officials and engaged with the Ministry of Education regarding how amendments to the Education Law impacted religious freedom.

In periodic communications and meetings with representatives of the Jewish and Muslim communities and human rights NGOs, consulate general officials discussed the groups' views on issues pertaining to their exercise of religious freedom in the country, including the lack of legal status for religious groups other

than the Catholic Church and the lack of cemeteries for the Jewish and Muslim communities.

The consulate general regularly amplified messages from the Secretary of State and Department of State on religious freedom through social media. For example, the consulate general highlighted International Religious Freedom Day on October 27 and encouraged partnerships with civil society organizations to combat all forms of hatred and discrimination on religious grounds. Throughout the year, the consulate general promoted a variety of religious observations on social media, including International Holocaust Remembrance Day on January 27, Jewish-American Heritage month in May, National Arab Heritage Month and Yom HaShoah in April, as well as significant holidays, including Ramadan, Hannukah, and Eid al-Fitr.